

## Voting Equipment Subgroup

### Vote Indiana Team

March 7, 2003

Subgroup members present: Dick Dodge, Pam Finlayson, Linda Grass, Dee Ann Hart, Laura Herzog, Jon Laramore, Martha Padish, Kristi Robertson, and Robert Vane (proxy for Doris Anne Sadler) Robin Winston. Facilitator: Sarah Taylor

Others present: Thomas Gallagher (Indiana Protection and Advocacy) and Mike Rothrock (Count Us In)

Linda Grass gave a short overview of her recent trip to Washington, D.C. for the National Association of Counties meeting. HAVA was discussed in the National Association of Clerks, Records and Election Officials affiliate meeting. Linda along with other Indiana delegates visited the staffs of Indiana Senators Bayh and Lugar to ask for full funding of HAVA.

Kristi Robertson described the “early out money” in Title I of HAVA. Indiana has more than 3100 precincts that were on punch card or lever machines during the 2000 election. The legislation sets a \$4000 dollar minimum reimbursement per precinct. Kristi discussed the need for an Indiana legislative change to address the differences between Indiana’s current statute pertaining to decertification of punch cards (based solely on funding availability) and HAVA’s mandate to replace all punch card systems.

Lengthy discussion was held on how to spend HAVA monies on voting equipment. Some members again expressed concern that counties who had already replaced their systems prior to November 2000 should receive monies. Laura Herzog also reminded fellow members about counties like hers that will need monies for equipment upgrades to meet accessibility requirements. Members agreed that more details about purchase versus lease options are needed for future funding discussions.

Members then reviewed the first four tasks assigned to the Voting Equipment subgroup in the Task Lists for Subgroups document. Consensus was to skip bullet point one concerning voting system standards until more federal guidance is given. Kristi said guidelines are to be issued by the newly created Election Assistance Commission, which has not met. She reminded members that Indiana currently certifies voting systems that are compliant with Federal Election Commission guidelines from 2002. The company must also fill out a state application, use an ITA, be reviewed by the Indiana Election

Division (IED) staff and Indiana Election Commission (IEC). After demonstrations, the system is available for certification in front of the IEC.

Under bullet point 2, Jon Laramore explained that most state agencies oversee the funds directly for specific programs. Indiana has a history of not centrally operating federal funded programs out of the State Budget Agency. Typically, there is enabling legislation and then specific formulas are established by agency rulemaking. It was speculated that the IED would need additional staff if their division were chosen to oversee the funds. Robin Winston thought the agency that was liable might be the best place for the funds to be overseen.

Discussion under bullet point 3 included an explanation by Kristi on the current Quantity Purchase Agreement (QPA) process. Counties were given a deadline of January 1, 2003 to apply for reimbursement of funds spent on voting systems. **She will bring a copy of the application and QPA information to the next meeting.** Questions were asked about the differences in cost per unit between optical scan and DRE. Jon stressed his concern that there may not be enough money federally appropriated therefore this subgroup will need to prioritize it's wishes. A brief discussion followed on formula versus competitive grants. Kristi reminded the group that HAVA requires one accessible machine per polling place not precinct.

Martha Padish believes that counties should have lots of input about what systems they use locally. Robin suggested that the group be given an amount of money to work with so we don't compete with the other subgroups. **Kristi will forward an email she received as state director on federal funding.**

The next meeting's agenda will include a recap of the first 4 bullet points and then discussion about the following four points:

Role of existing QPAs with vendors, and county applications for reimbursement under current law.

Priorities regarding phase-out of lever and punch card machines and reimbursement for past or pending upgrades of other equipment.

Assuming additional county reimbursement beyond HAVA Section 102 and Requirements funds, what should be criteria for reimbursement of counties for purchases prior to November 2000? Time period covered? Sliding scale (50%, 25%) or pro rata disbursements?

What monitoring and audit procedures should be implemented to prepare for federal and state audits?

Public Comment:

Mike Rothrock, Count Us In, testified that voters in wheelchairs using DREs need them accessible and properly placed in the polling site. For example, if placed on a table, the screen must be at the right angle to view.

Tom Gallagher, Protection and Advocacy, is the executive director of this independently federally funded state agency. This commission administers 7 federally funded programs targeted at those with developmental disabilities.

The next meeting will be held March 21, 2003 at 2:45 p.m.